REMARKS/ARGUMENT

Claims 1-14 stand allowed.

Claim 15 stands rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,920,353 to Diaz et al. By this amendment, Claim 15 has been amended to overcome the Diaz reference, as set forth below.

In order that the rejection of Claim 15 be sustainable, it is fundamental that "each and every element as set forth in the claim be found, either expressly or inherently described, in a single prior art reference." Verdegall Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also, Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), where the court states, "The identical invention must be shown in as complete detail as is contained in the ... claim".

Furthermore, "all words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Independent Claim 15 requires and positively recites, circuitry for processing images and video, comprising: "a processor for executing a program of software instructions for processing images or video", "a random access memory coupled to said processor", "**two or more hardware accelerators coupled to said processor**, said hardware accelerators for performing certain video processing functions associated with ones of the software instructions" and "wherein certain software instructions can be processed by either the processor or by one of said hardware accelerators **subsequent to said one of said hardware accelerators being enabled to process the certain software**

instructions, where the decision to process the certain software instruction in the processor is made in real-time".

In contrast, the Diaz reference teaches an apparatus having only one hardware accelerator. The Examiner all but agrees with this determination in his statement, "Claim 15 recites: "one or more hardware accelerators"; because of the alternative recitation, Diaz at least satisfies the claim recitation of one hardware accelerator" (Office Action dated November 29, 2004, page 4, lines 9-11). Accordingly, Diaz fails to teach or suggest, **"two or more hardware accelerators coupled to said processor**, said hardware accelerators for performing certain video processing functions associated with ones of the software instructions", as required by Claim 15.
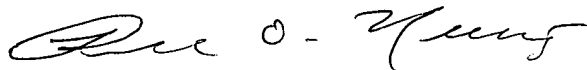
Furthermore, Claim 15, as amended, requires and positively recites, "wherein certain software instructions can be processed by either the processor or by one of said hardware accelerators **subsequent to said one of said hardware accelerators being enabled to process the certain software instructions**, where the decision to process the certain software instruction in the processor is made in real-time".

In contrast, Diaz teaches that how much of the operation is performed in the processor 75 is based on balancing the processing capacity and speed of the processor 75 with the complexity and amount of processing required to perform the function as specified by the standard to which the encoded bitstream complies in real time. No where, however, does Diaz teach or suggest, "wherein certain software instructions can be processed by either the processor or by one of said hardware accelerators **subsequent to said one of said hardware accelerators being enabled to process the certain software instructions**, where the decision to process the certain software instruction in the processor is made in real-time", as required by Claim 15.

An amendment after a final rejection should be entered when it will place the case either in condition for allowance or in better form for appeal. 37 C.F.R. 1.116; MPEP 714.12. This amendment places the case in condition for allowance.

Claims 1-14 stand allowed. Claim 15 stands allowable over the references of record. Applicant respectfully requests allowance of the application as the earliest possible date.

Respectfully submitted,

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